

report filed pursuant to this subsection shall be considered by the City Council but shall not be subject to judicial review.

Section 23.6.(e) Conditional zoning decisions under this act are a legislative process subject to judicial review using the same procedures and standard of review as apply to general use district zoning decisions.

Section 23.6.(f) Except as specifically modified by this act, the procedures to be followed by the City Council in reviewing, granting, or denying any petition for conditional zoning shall be the same as those established for general use district zoning petitions under Article 19 of Chapter 160A of the General Statutes.

Section 23.6.(g) The City Council may not vote to rezone property to a conditional zoning district during the time period beginning on the date of a municipal general election and concluding on the date immediately following the date on which the City Council holds its organizational meeting following a municipal general election unless no person spoke against the rezoning at the public hearing and no valid protest petition under G.S. 160A-386 was filed. If a valid protest petition under G.S. 160A-386 has been filed against a zoning petition which would otherwise have been scheduled for a public hearing during the period beginning on the first day of October prior to a municipal general election, but prior to the new City Council taking office, then the public hearing on such petition and any decision on such petition shall both be postponed until after the new City Council takes office."

SECTION 2. S.L. 1981-258 is repealed.

SECTION 3. This act applies only to conditional zoning petitions filed on or after October 1, 2003, and shall not affect any rezoning case that is the subject of pending litigation.

SECTION 4. This act applies to the City of Wilmington only.

SECTION 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 9th day of June, 2003.

Became law on the date it was ratified.

H.B. 501

Session Law 2003-163

AN ACT REDRAWING THE ELECTION DISTRICT BOUNDARIES FOR THE TOWN OF ENFIELD IN HALIFAX COUNTY.

Whereas, the Enfield Town Board of Commissioners consists of five members, four of whom are elected from two districts; and

Whereas, those districts, designated as Districts A and B, are subject to the requirements of one-person, one-vote and were redrawn following the 2000 census; and

Whereas, before the districts were redrawn, the boundary was the CSX railroad track which runs through the middle of town and is an obvious and well-known dividing line; and

Whereas, as a result of the 2001 redistricting, the current boundary between Districts A and B is irregular and confusing; and

Whereas, an annexation which occurred after the 2001 redistricting has added sufficient population to the Town that Districts A and B would be within the correct population ranges for one-person, one-vote if the old boundary, the railroad track, were used; and